

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Klaryssa Renee Perkins, *et al.*,

Plaintiffs,

Case No. 16cv11335

v.

Judith E. Levy
United States District Judge

Kyle Rettell, *et al.*,

Mag. Judge Patricia T. Morris

Defendants.

_____/

**ORDER DISMISSING DEFENDANT JOHNSON FOR FAILURE
TO PROSECUTE**

Federal Rule of Civil Procedure 4(m) requires the Court to dismiss an action without prejudice against a defendant if that defendant has not been served within 90 days after the complaint is filed and plaintiff fails to show good cause. Plaintiff's counsel answered the Court's order to show cause with vague statements that do not amount to good cause (Dkt. 11), and in follow-up to the Court acknowledged that there is no good cause for the failure to serve defendant Tiffany Anne Johnson within the timeframe allowed by the Federal Rules.

Therefore, defendant Tiffany Anne Johnson is DISMISSED
without prejudice.

IT IS SO ORDERED.

Dated: August 30, 2016
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on August 30, 2016.

s/Kelly Winslow for
FELICIA M. MOSES
Case Manager